

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMIL SPELLER,

Petitioner,

16 CIVIL 1884 (LTS)  
13 CR. 986 (LTS)

-against-

UNITED STATES OF AMERICA,  
Respondent.

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**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Order dated April 23, 2020, Petitioner's motion brought pursuant to 28 U.S.C. § 2255 is denied in its entirety; Petitioner may not appeal this order unless "a circuit justice or judge issues a certificate of appealability;" 28 U.S.C.S. § 2253(c)(1) (LexisNexis 2008). A certificate will be granted "if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C.S. § 2253(c)(2) (LexisNexis 2008); see generally United States v. Perez, 129 F.3d 255, 259-60 (2d Cir. 1997) (discussing the standard for issuing a certificate of appealability). The Court finds that Petitioner will not be able to sustain this burden. The Court declines to issue a certificate of appealability, and case No. 16-CV-1884 is closed.

**DATED:** New York, New York  
April 27, 2020

**RUBY J. KRAJICK**

BY:

Clerk of Court

Deputy Clerk

